

APPENDIX I
PLAIN LANGUAGE VERSION OF THE BOSTON CITY CHARTER

Boston City Charter -- Plain Language

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Boston City Charter -- Plain English

GENERAL PROVISIONS

SECTION 1. DEFINITIONS.

- City -- The city of Boston.
- Board of election commissioners -- The board of election commissioners of the city of Boston.
- Preliminary election -- The election held for the purpose of nominating candidates whose names shall appear on the official ballot at a municipal election.
- Proportional representation -- Any proportional representation method of election authorized by chapter 54A of the General Laws.
- Present form of city government -- The form of city government in effect in the city when it first adopts one of the three optional plans of government provided in this act.

SECTION 2. PERMISSIBLE TYPES OF GOVERNMENT.

- If the city wishes to adopt a new form of government then it may adopt any of the plans in this act at a regular election.
- If a new plan is adopted, old laws consistent with the new plan shall remain in effect.
- Choosing a new plan does not alter any rights, responsibilities, or powers of the city as a municipal corporation.

SECTION 3. HOW A NEW PLAN OF GOVERNMENT IS CHOSEN.

- 10% of voters registered for the next state election must sign a petition asking for a new government plan.
- The petition must be filed by 5:00 p.m. on the 1st Wednesday in July before the election.
- *See Appendix A* for descriptions of different potential plans.

SECTION 4. Reserved.

SECTION 5. Reserved.

SECTION 6. MINIMUM DURATION OF PLAN.

- A new plan must last for at least 4 years.
- No petition for a new plan may be filed before 3 years have passed under the current plan.
- This period begins when the officials under the new plan take office.

SECTION 7. OTHER REQUIREMENTS FOR A NEW PLAN.

- The procedures for proposing and adopting a new plan must come from the City Charter (this act).

SECTION 8. END OF TERM FOR CURRENT OFFICIALS.

- When a new plan is chosen, the current elected officers and the city manager must leave office by 10:00 a.m. on the 1st Monday of the 2nd January under the new plan.

SECTION 9. BEGINNING AND END OF FISCAL AND MUNICIPAL YEARS.

- Fiscal Year -- July 1 through June 30.
- Municipal Year -- The first Monday in January through the first Monday in the next January.

FORM OF GOVERNMENT: MODIFIED PLAN A Government by Mayor, City Council, and School Committee, Elected at-large with Preliminary Elections

Boston's governmental structure is not a Plan A form of government as delineated under the Massachusetts General Laws Chapter 43 because Boston's government pre-dated the modern

M.G.L. choices and Boston's Plan A is derived from the choices articulated in Acts of 1948, chapter 452 which offered voters act-specific Plan A, Plan D, or Plan E.

SECTION 10. PLAN A.

- Boston's form of government is called Plan A.
- This is *not* the Plan A form of government delineated in Massachusetts General Laws.

SECTION 11. DEFINITIONS OF MAYOR, CITY COUNCIL, AND SCHOOL COMMITTEE.

- Mayor – Chief Executive Officer, enforces the laws.
- City Council – legislative body, 13 council members make the laws.
- School Committee – Makes and spends budget for public schools of Boston (*see* Sections 70 – 78).

SECTION 11A. REQUIREMENT TO TAKE AN OATH.

- Every mayor, city councillor, and school committee member must take an:
 - Oath of Allegiance
 - Oath of Office
 - Oath to Support the United States Constitution
- Persons qualified to give these oaths to the mayor:
 - A justice of the Supreme Judicial Court
 - A judge of a court of record in the city
 - A justice of the peace
- Persons qualified to give these oaths to a city councillor or school committee member:
 - A justice of the Supreme Judicial Court
 - A judge of a court of record in the city
 - A justice of the peace
 - The mayor
- *See* Appendix J.

SECTION 11B. WHAT HAPPENS WHEN THE MAYOR'S OFFICE IS VACANT.

- When the mayor is unable to perform his duties, the president of the city council will perform them.
- If the president of the city council cannot perform the duties of mayor then the city council shall choose a member to do so.
- This “acting mayor” may only perform urgent tasks, cannot make permanent appointments, and only holds office until either the city council president or the mayor returns.

GENERAL POWERS OF MAYOR AND CITY COUNCIL

SECTION 12. HOW LONG THE MAYOR SERVES.

- The mayor serves for 4 years.
- There are no term limits for mayor.

SECTION 13. SPECIAL ELECTION FOR NEW MAYOR.

- A special election for mayor occurs when:
 - The mayor's office becomes vacant less than 16 weeks before a regular election, EXCEPT when it is a mayoral election
 - The mayor's office becomes vacant less than 16 months after a regular election
 - There is a failure to elect a mayor
 - The person elected mayor quits or dies before taking office
- The city council must immediately call for this election.
- This election must occur on a Tuesday between 120 and 140 days after the city council calls for the election.
- If the new mayor is elected in a special election then he/she only serves the rest of the old mayor's term.
- If the mayor's office becomes vacant at any other time then a new mayor will be elected at the next regular election and serves a regular term.

SECTION 13A. SALARY OF THE MAYOR.

- The mayor's annual salary is set by ordinance.
- The mayor may not receive any other money for either working as mayor or working at any other city job.

SECTION 14. CITY COUNCILLORS.

- There are 9 districts in Boston with 1 councillor elected from each district.
- There are 4 councillors elected by the entire city called city councillors at-large.
- Every councillor holds office for 2 years.
- There are no term limits for city councillors.

SECTION 15. WHAT HAPPENS WHEN A COUNCILLOR-AT-LARGE'S OFFICE IS VACANT.

- The city clerk has 21 days to tell the city council that a city councillor-at-large's office is vacant.
- The councillors then have 15 days to select a replacement.
- To choose a new city councillor-at-large:
 - If the candidate with the second highest number of votes for that seat at the last election is able and willing to take the office then the council must offer the office to him/her
 - If no such person exists then the city council must choose a resident who is registered to vote in Boston
 - If the city council does not choose in 15 days then the mayor or acting mayor makes the choice

SECTION 15A. WHAT HAPPENS WHEN A DISTRICT CITY COUNCILLOR'S OFFICE IS VACANT.

- If, more than 180 days before an election, a district city councillor's office becomes vacant then the city clerk must immediately notify the city council.
- At its next meeting, the city council must then order a special election for choosing nominees (preliminary election).
- This election must occur on a Tuesday between 62 and 76 days after the meeting.
- The 2 candidates with the most votes in the preliminary election then run against each other in a special election which occurs 28 days after the preliminary election.

SECTION 15B. RULES AND EXCEPTIONS FOR SPECIAL ELECTIONS.

- The city council calls for a special election. The mayor's permission is not required.
- All special elections must follow the rules listed in the Boston City Charter EXCEPT:
 - A statement of candidacy must be signed within 10 days of the city council calling for an election to occur
 - The election commission must wait at least 7 days after the city council calls the election to issue a nomination petition
 - Candidates have 15 days after the city council calls the election to file nomination petitions with the election commission, and these must be filed before 5 p.m.
 - The election commission has 14 days from the end of the nomination petition period to certify the signatures on all petitions
 - Registered voters have 3 business days to object to any signature on a nomination petition after it has been certified (objection period)
 - If any candidate for district city councillor changes his/her mind about running then he/she has until the last day of the objection period to remove his/her name
 - No candidate may run in place of another candidate
 - After the nominees have been selected, anyone wishing to request a recount of the vote has 3 days to file a petition with the election commission, and this must be filed before 5 p.m.

SECTION 16. SALARY OF CITY COUNCILLOR.

- Every city councillor is paid an annual salary and receives no other money for personal expenses from the city treasury.
- That salary is determined by city council ordinance.
- A city councillor may also work and be paid as an instructor at a city college.
- A councillor may choose to receive the same salary as a city employee instead of receiving a city councillor's salary.

SECTION 17. ELECTING A CITY COUNCIL PRESIDENT.

- The city council chooses its president by majority vote.

- The president establishes rules for city council proceedings.
- The eldest council member acts as president whenever there is no president or the president is absent.

SECTION 17A. THE MAYOR MAY SUMMON A MEETING OF CITY COUNCIL.

- The mayor may require the city council to meet whenever he/she thinks it is necessary by giving notice in writing.

SECTION 17B. CITY COUNCIL'S CONTROL OVER OFFICES.

- With the mayor's approval, the city council may create offices/positions necessary for the city council to function.
- The council determines how much the new officer is paid from the city treasury.
- Without the mayor's approval, the city council may eliminate offices, change the salaries of officers, and hire or fire employees for offices.
- The city council cannot create a clerk's office since it uses the city clerk as its clerk.

SECTION 17C. HOW THE CITY COUNCIL VOTES.

- All city council elections/votes are held by voice vote. When each councillor's name is called, he/she will say the name of his/her choice or verbally decline to vote.
- The city clerk shall record the votes.

SECTION 17D. MAYOR'S APPROVAL OF CITY COUNCIL ACTIONS.

- Every action the city council takes must be approved by the mayor EXCEPT for:
 - Creation of special city elections
 - Actions related solely to the city council's internal affairs.
 - Resolutions that do not affect legal rights
 - Election of officials
 - Confirmation of appointments by the mayor
- If the mayor approves the city council's action then it becomes the law as soon as the mayor signs it.
- If he/she does not approve it then he/she tells the city clerk in writing why he/she does not approve it.
- The city clerk then returns the mayor's reasons for disapproval to the city council, and those reasons must be entered into council's records.
- Nothing else can be done if the mayor says no to an action involving money.
- The city council must look at all other returned actions again.
- If the issue involves a loan, expenditure, or appropriation of money then the mayor's objection terminates the action.
- For all other issues, the votes of 2/3 of the city council are necessary to override the mayor's objection. The city council must wait at least 7 days after recording the mayor's objections to take this vote.
- If, after 15 days, the mayor has not said yes or no to an action then the action becomes law.
- The mayor must approve or object to the action as a whole, EXCEPT:
 - If the action deals with a loan or budget then the mayor may approve or object to any part of it
 - In such circumstances, the mayor's decision is final

SECTION 17E. ORDINANCES AND LOAN ORDERS.

- The mayor makes recommendations to the city council are in the form of new laws (ordinances) or permission to borrow money (loan orders).
- The city council must consider these recommendations and adopt or reject them within 60 days. If the council rejects then the mayor may present it to them again.
- If the city council does nothing within 60 days then it will become law unless the mayor withdraws it.
- The city council may:
 - Write their own ordinances and loan orders
 - Reduce or reject any item in a loan
 - Change an ordinance, if the mayor approves
- All sales of land other than school lands, all monies budgeted for the purchase of land, and all loans voted by the city council REQUIRE:
 - Two separate readings
 - Two separate votes
 - At least 2/3 of the city council voting yes at each vote

- The second set of readings and votes must happen within 14 days of the first set, EXCEPT for temporary loan votes that are taken just before taxes are collected, where the second set must occur within 24 hours of the first set
- No increases in the amount of or change in the distribution of monies are allowed at the second reading and vote
- 3 city councillors can sign a petition to speed up the vote on a loan order that was presented by the mayor. They must wait at least 14 days from receiving the order before filing the petition. The council then votes on the order at the next meeting. If a vote on the order has already occurred then the second vote happens as described above in this section.

SECTION 17F. CITY COUNCIL'S REQUESTS FOR SPECIFIC INFORMATION.

- The city council may ask the mayor to either give them information on a specific city matter or to appear and answer questions on that matter.
- The city council must give the mayor the questions, in writing, one week before the meeting occurs.
- The mayor, a department head, or a board member will publicly answer only questions related to the previously specified matter.
- The mayor can talk to the city council at any time about any subject either in person or through a department head or board member.

SECTION 17G. CONTRACTS MADE BY CITY COUNCILLORS.

- Neither the city council nor any of its members may participate in the making of any kind of any labor contract or in the spending of public money, EXCEPT as necessary for the operation of the council.
- Violation of this section shall lead to imprisonment or a fine or both.
- The mayor and city council must approve any contract for public lighting or garbage removal lasting longer than 1 year, after the city council holds a hearing that they advertised for 7 days in the City Record.
- City and county employees, including the mayor and city councillors, cannot receive money from contracts made with the city or county, EXCEPT:
 - From an employment contract
 - When the employee has the potential to receive money from a contract and the mayor, city council, and finance commission know about this interest and the employee does no city or county work relating to the contract
 - When the employee owns less than 5% of the stock in a business making the contract with the city, and the city employee is not an officer or acting specifically on behalf of the business
- If an employee has a personal interest in a contract then the mayor must assign another employee to make the contract.
- If the mayor has a personal interest in a contract then the city clerk must make the contract.
- The city council's powers over state or military aid and soldiers' relief will remain the same.
- The city or county may void any contract that breaks these rules.
- Anyone breaking these rules will receive a fine of up to \$1,000 or imprisonment of up to 1 year or both.

SECTION 17H. CITY COUNCILLORS HOLDING OTHER OFFICES.

- While a city councillor, the only city government offices that the person may hold are that of city councillor and other offices that arise from being a city councillor (e.g. city council president).
- If the governor appoints a city councillor to a different office then the councillor may resign and take that office.

SECTION 17I. SUMMONS AND SUBPOENA POWERS.

- The city council, licensing board, police commissioner, or election commissioners can force witnesses to give them information, either in persons or through books and papers, about subjects on which the witness has expertise.
- They must call and pay the witnesses the same way as a civil court calls and pays witnesses.
- If witnesses do not respond then they will receive the same penalty as in civil cases.
- The presiding officer at a hearing may give oaths to witnesses that appear.

CITY DISTRICTS

SECTION 18. BOUNDARIES FOR CITY COUNCIL DISTRICTS.

- Each district will have approximately the same number of residents, based on the most recent state census.
- The city council will try not to split up existing neighborhoods when drawing district lines.
- The council must redraw the districts every 10 years on or before August 1st.
- The city council and the school committee have the same district lines.

SECTION 19. NO WARDS.

- The city does not need to divide its territory into wards.

SECTION 20. CITY COUNCILLORS MUST LIVE IN THEIR DISTRICT.

- A district city councillor must have lived in his/her district for at least 1 year before being elected and must live in that district during the councillor's entire term of office.

PROCEDURES RELATING TO ELECTIONS

SECTION 21. CITY ELECTIONS.

- Regular city elections occur every 2 years on the Tuesday after the 1st Monday in November.
- *See* Appendix K.

SECTION 22. DIFFERENT KINDS OF ELECTIONS.

- Every at-large city officer must be nominated at a preliminary election and then elected at a regular or special city election.
- Preliminary elections will occur on the 6th Tuesday before the regular election.

SECTION 23. QUALIFICATIONS FOR CANDIDATES.

- A resident can only receive a nomination for office if he/she is a registered voter who can vote for that office.
- Candidates for nomination must follow all stated nomination rules.

SECTION 24. STATEMENT OF CANDIDACY/SIGNING THE BOOK.

- In order to receive a nomination petition, a candidate must sign a statement of candidacy in the election commission's book.
- Every candidate must do this between the 23rd and 19th Tuesday before the preliminary election by 5 p.m.
- *See* Appendix B for the statement of candidacy form.

SECTION 24A. NOMINATION PETITIONS.

- The election commission has 2 working days to issue the nomination petition after receiving the statement of candidacy.
- 1 candidate per petition, per office.
- A nominating candidate must list, in 8 words or less, the title and status of each elected position they hold or have held in Massachusetts or representing Massachusetts.
- *See* Appendix C for required nomination petition sheet format.
- Petitions can be no longer than:
 - 300 nomination sheets for a mayoral candidate
 - 150 sheets for a city councillor-at-large candidate
 - 20 sheets for a district councillor candidate
- Each sheet must include a signed statement of written acceptance by the candidate.

SECTION 25. SIGNATURE REQUIREMENTS FOR NOMINATION.

- The city council determines the number of signatures required for nominations of candidates for district city councillor or school committee. The ordinance must require at least 200 signatures and the number of signatures

required may not be more than 2% of the number of votes cast in the candidate's district during the last mayoral election. If 2% of that vote is less than 200 then the number of signatures required must be equal to 2% of that vote.

- For a mayoral candidate: 3,000 registered voters must sign the registration petition.
- For a councillor-at-large candidate: 500 registered voters must sign the registration petition.
- Any voter who wishes to sign a nomination petition must:
 - Sign the petition in person, EXCEPT for physically disabled persons, who may have another sign for him/her
 - Sign with his/her name as registered
 - Sign with the address he/she used on January 1st of the current year if he/she registered to vote before the current year or with the address he/she gave at the time of registration if he/she registered in the current year
 - Sign with his/her current address if it differs from his/her registered address
 - Sign only 1 mayoral and only 1 district city council nomination petition
 - Sign no more than 4 city councillor-at-large nomination petitions
 - Sign each petition only once
- The election commission will only count the voter's name the first time (or the first 4 times for city councillors-at-large) it appears on any petition for any particular office.
- The person who files the nomination petition must file it with the election commission before 5 p.m. on the 18th Tuesday before the preliminary election.
- Any person who files a petition must sign each sheet. If that person is not the candidate then he/she must also include his or her address on each sheet and provide identification to the election commission.
- The names of candidates are a matter of public record. However, the public may not inspect the nomination sheets until the election commission certifies the signatures on every petition filed for that office.

SECTION 26. COUNTING THE SIGNATURES.

- The election commission counts the number of registered voters' signatures on each petition and this process is known as certification.
- The commission must only certify the minimum number of signatures required, plus an extra 20%.
- Only certified signatures count towards the number needed for nomination.
- Valid nomination petitions must have the required number of signatures.
- The election commission must finish certifying by 5 p.m. on the 13th Tuesday before the preliminary election.

SECTION 26A. HOW VOTERS CAN STOP A NOMINATION PETITION.

- A nomination petition that seems legal is valid unless a registered voter challenges it.
- To challenge the petition, a registered voter must file a written objection with the election commission before 5 p.m. on the 12th Tuesday before the primary election, even if the commission has already certified the petition.
- The election commission must immediately send all objections to the Boston ballot law commission.

SECTION 26B. QUITTING AND SUBSTITUTING FOR NON-MAYORAL CANDIDATES.

- A candidate may quit the election by filing a request with the election commission before 5 p.m. on the 12th Tuesday prior to the preliminary election.
- A candidate may list a committee of 5 or fewer people on his/her nomination petition who will choose his/her replacement if he/she cannot or will not run.
- This committee must file its new candidate's information with the election commission by 5 p.m. on the day following the 12th Tuesday before the preliminary election.

FINDING A NEW CANDIDATE WHEN A CANDIDATE FOR MAYOR DIES.

- The due date for filing the new candidate for mayor's information with the election commission depends on when the candidate for mayor dies but must always be filed before 5 p.m. on the day as follows:
 - If death occurs on or before the 2nd Friday before the preliminary election then filing must occur on the 1st Tuesday before the preliminary election
 - If death occurs after the 2nd Friday before the preliminary election and before the closing of the polls then filing must occur on the 1st Friday following the preliminary election
 - If death occurs after the closing of the preliminary election polls and on or before the 2nd Friday before the regular election then filing must occur on the Tuesday before the regular election

- If death occurs after the 2nd Friday before the regular election but before the closing of the polls then filing must occur on the 1st Friday following the regular election
 - If, in this case, the new candidate has a nomination committee and it does not file his/her information by 5 p.m. on the 1st Tuesday before the election then the election commission must postpone the mayoral election for 4 weeks.
- After the preliminary election has occurred, a nomination committee may only offer substitutes for candidates still in the race.

NAMES ON THE BALLOT.

- If filing of the new candidate's information occurs before 5 p.m. on the 1st Tuesday before the preliminary election then:
 - The preliminary election ballots will have the name, residence, and ward of the new candidate
 - The voting machine ballot labels will also have the new candidate's information
- If filing of the new candidate's information occurs between 5 p.m. on the 1st Tuesday before the preliminary election and the closing of the polls at the preliminary election then:
 - The former candidate's information will appear on the ballot, but any vote for that candidate will count as a vote for the new candidate
- If filing of the new candidate's information occurs before 5 p.m. on the 1st Tuesday before the regular election then:
 - The election commission will place the new candidate's information on regular ballots
 - On absentee ballots, the election commission will try to ensure that the new candidate's information is entered but, failing this, a vote for the old candidate will count as a vote for the new candidate
 - The voting machine ballot labels will also have the new candidate's information

REQUIREMENTS FOR THE FILING OF ALL SUBSTITUTE CANDIDATES.

- The nomination committee must provide:
 - New candidate's name
 - New candidate's street address and district or ward
 - Office the new candidate seeks
 - Old candidate's name
 - Reasons why the old candidate is no longer running
 - How the nomination committee chose the new candidate
 - Oaths and signatures about the truth of the information it is submitting from the chairman and secretary of the nomination committee
 - New candidate's written acceptance of his or her nomination

SECTION 26C. INFORMING VOTERS ABOUT THE CANDIDATES.

- On the 1st working day after the election commission has finalized the nominations, it must post the names, residences, and districts of the candidates for mayor and city councillor in city hall.
- The election commission must group these names by district number.
- In a public building in each district the election commission must post the information related to elections in that district.
- The election commission will not hold preliminary elections if there are 2 or fewer candidates running for either mayor or district city councillor or 8 or fewer candidates for city-councillor-at-large.

SECTION 27. PRINTING OF THE PRELIMINARY (I.E. PRIMARY) BALLOTS.

- The election commission must select the position of candidates on the ballot at random, by a drawing of names, to select the position of the candidates on the ballot on the day of public posting of the names or very soon afterwards.
- The election commission must print the ballots as soon as possible after the posting of the names.
- These official preliminary election ballots must contain:
 - The names of the nominees
 - The addresses of the nominees
 - The office that each nominee seeks
 - A statement regarding the elected public offices the nominee currently holds or has held
 - An official heading (*See* Appendix D)

SECTION 28. DESCRIPTION OF BALLOT AND BALLOT POSITION DRAWING.

- In every election, each voter may vote for only 1 mayoral candidate, only 1 district city councillor, and up to 4 city councillors-at-large.
- The ballot must instruct voters about this restriction.
- Each candidate, in person or through a representative, may be present when the election commission randomly selects the names for positioning on the ballot.
- Before randomly selecting the positions, the election commission places each candidate's information on a card and reads that card out loud before putting all cards in alphabetical order.
- The election commission randomly picks cards that determine the positions on the ballot, first for mayor then for city councillor.
- The mayoral cards have the candidate's name and address.
- The city councillor cards have the candidate's name and district number.

SECTION 29. COUNTING THE PRELIMINARY BALLOTS.

- When the polls close, the election officers count the ballots and return them to the election commission and they report the number of votes.
- The election commission determines the winners and puts the results in newspapers and posts notice at city hall.

SECTION 30. WHO WINS A PRELIMINARY (I.E. PRIMARY) ELECTION.

- The 2 people who receive the highest number of votes in mayoral and district city councillor elections win a place on the regular election ballot.
- The 8 people who receive the highest number of votes in city councillor-at-large elections win a place on the regular election ballot.
- If, because of a tie, there are a greater number of candidates who should win a place on the regular election ballot than the rules would allow then all such candidates win a place on the ballot for the regular election (e.g. if there is a tie between second and third place in a mayoral preliminary election then both the second and third-place candidates would win a spot on the regular election ballot).

SECTION 31. PRINTING OF NAMES ON GENERAL ELECTION BALLOT.

- Shortly after the 6th Tuesday before the regular election, the election commission determines the position of each candidate on the regular election ballot by holding a random drawing for which the candidate or a representative may be present.
- These official regular election ballots contain:
 - The names of the nominees
 - The addresses of the nominees and their districts
 - The office and the term of the office that the nominee seeks
 - A statement regarding the elective public offices the nominee holds or has held

SECTION 32. NO REFERENCES TO POLITICAL PARTIES ON BALLOTS.

- Ballots may not contain references to candidates' political views or affiliations.

SECTION 33. WRITE-IN VOTES.

- Ballots for mayor and district city councillor must have 1 blank space and ballots for city councillor-at-large must have 4 blank spaces so that voters may write in the names of anyone they wish.

ORGANIZATION OF CITY DEPARTMENTS

SECTION 34. CHANGING DEPARTMENTS AND AGENCIES.

- The city council with the approval of the mayor may:
 - Create new departments or agencies
 - Eliminate all or part of any department or agency
 - Reorganize all or a part of any department or agency
 - Increase any department or agency's duties or powers
 - Move the powers, duties, and funding within a department or agency

- Move duties, powers, and funds between departments or agencies
 - Change, create, or eliminate the salary of any department or agency head
- The mayor, without city council's approval, must appoint the head of any department or agency created in this way.
- The term of any such department or agency head ends:
 - On the 1st Monday of January after the next regularly scheduled mayoral election that follows the appointment
 - According to the rules of the particular board they serve on if:
 - They are unpaid
 - They serve on a board of appeals
 - They serve on a board of examiners
- If the city council eliminates a position under this section then the person who worked in that position shall be given another job in a similar office or of a similar status. That person does not have to retake the civil service exam, and he/she retains any pension benefits previously accrued.
- This section does not apply to:
 - The school committee
 - The board of commissioners of school buildings
 - The superintendent of construction
 - The board of trustees of the teachers' retirement fund
 - The board of trustees of the permanent school pension fund
 - The Boston retirement board
 - The city clerk
 - The board of election commissioners
 - The Boston traffic commission
 - Any board member or officer appointed by the governor

SECTION 35. APPOINTMENTS BY THE MAYOR.

- Except for the school committee and officers the governor appoints, the mayor appoints all heads of departments and members of city boards without approval from the city council.
- Appointees must be recognized experts in or have special training for the work they will perform in committees, except for election commissioners.
- The mayor may not consider political party or residence when making appointments.

SECTION 36. MAKING SURE THAT MAYORAL APPOINTMENTS ARE QUALIFIED.

- The mayor must sign and file a certificate with the city clerk when appointing heads of departments. (*See Appendix E for certificate form*)
- The city clerk then gives the certification to the civil service commission who then makes sure that the nominee has the skills required for the job.
- If he/she does have the required qualifications then a majority of the commission signs a certificate and files it with the city clerk. If civil service commission does nothing within 30 days then the nominee shall be considered unqualified.
- If and when the nominee accepts the office, takes all necessary oaths, and files a bond then the appointment is complete.

SECTION 37. EXPENSES OF THE CIVIL SERVICE COMMISSION.

- The governor and city council must approve a reasonable budget for the civil service commission.
- Massachusetts gives the commission this money and may ask Boston to repay this money.

SECTION 38. WHAT HAPPENS WHEN A DEPARTMENT HEAD'S OFFICE IS VACANT.

- Until the mayor can appoint a permanent replacement, he/she must temporarily fill any vacant department head position with the head of another department or a member of a board.

SECTION 39. HOW LONG MEMBERS OF BOARDS AND DEPARTMENT HEADS SERVE.

- Members of boards keep their jobs for as long as the law allows.
- Heads of departments keep their jobs for 4 years beginning May 1st of their appointment year but may work for longer if the mayor wishes.

SECTION 40. REMOVING HEADS OF DEPARTMENTS.

- The mayor can remove any head of a department or member of a board by filing a written statement of reasons for removal with the city clerk.
- The person removed receives a copy of the mayor's statement and may file a reply, which shall not affect the removal.
- This section does not apply to:
 - Election commissioners
 - The school committee
 - The public facilities commission
 - Any official appointed by the governor

SECTION 41. EXCEPTIONS TO CIVIL SERVICE LAWS.

- The mayor may remove his secretaries, stenographers, clerks, telephone operators, and messengers without a hearing or statement of cause.

SECTION 42. OFFICIALS MAY NOT SPEND MORE MONEY THAN IS ALLOCATED.

- Boston officials may not spend more money or make a contract to spend more money than they are given to spend in any fiscal year, except in cases of extreme emergency.
- If an official intentionally spends too much money then the city shall attempt to recover the extra money spent and the official must pay any amount that the city cannot recover.
- The city may bring these claims to court.
- Anyone breaking these rules will be fined \$1,000 or less or imprisoned for a term of 1 year or less or both.

SECTION 42A. RENEWING CONTRACTS PRIOR TO APPROVAL OF THE BUDGET.

- City and county officers that are allowed to spend money, as well as the school committee, may renew or enter into contracts that they do not currently have money for.
- These contracts:
 - May last for no more than the first 3 months of the new fiscal year
 - Must have the same or better terms as the prior contract or a similar contract
 - Must not spend more than the average of the last 9 months of similar contracts

THE FINANCE COMMISSION

SECTION 43. CREATION OF A FINANCE COMMISSION.

- The governor appoints the finance commission with the advice and consent of the [governor's] council.
- The commission consists of 5 qualified voters of Boston who have lived in the city for at least 3 years prior to their appointment.
- Each commission member serves for a term of 5 years, but the governor may remove a member at any time with consent of the governor's council.
- The governor chooses the chairman of the commission, to whom the city shall pay a salary. The other members of the commission shall serve without pay.

SECTION 44. INVESTIGATIONS AND REPORTS.

- The finance commission must investigate financial matters regarding Boston or Suffolk county when the commission sees fit and report its investigative findings regarding Boston or Suffolk county's financial matters to the mayor, city council, governor, or state legislature.
- The commission must present an annual report to the state legislature each January.

SECTION 45. COMMENCING AN INVESTIGATION.

- If the mayor, city auditor, or city treasurer receives a request for money that he/she thinks is false then he/she must tell the finance commission not to pay it.
- The commission then investigates and reports its investigative findings.

SECTION 46. COMMISSION FUNDING.

- The city must appropriate to the commission no less than the amount of the salary of the chairman plus a minimum of \$25,000 for all expenses.
- The commission may spend money before it has been given to them.

SECTION 47. POWERS OF THE FINANCE COMMISSION.

- Chapter 562 of the Acts of 1908 lists the powers of the finance commission: (i) to investigate all matters pertaining to the finances of the said city, (ii) to require the attendance and testimony of witnesses and the production of all material books, papers, contracts, and documents, (iii) to administer oaths (the chairman), (iv) to apply to a justice of the supreme judicial court or of the superior court for an order requiring a person to appear (any failure to obey such order of the court is punishable as contempt), (v) for refusal to comply with orders, the commission may impose a fine not exceeding fifty dollars or imprisonment for not more than thirty days or both.
- Chapter 562 of the Acts of 1908 lists the powers of the finance commission, EXCEPT:
 - Counsel for any witness at any public hearing may ask him any relevant question and may offer relevant evidence through other witnesses subject to cross-examination by the commission and its counsel.

PUBLIC SPENDING

SECTION 48. CREATION AND APPROVAL OF THE MUNICIPAL BUDGET.

- The mayor's office disburses all money for the operations of the city EXCEPT money for schools and money from loans. The mayor can disburse this money at any time.
- City and county officials, when asked, must tell the mayor how much they think their department will spend in the next fiscal year. The city council then receives these estimates.
- The mayor must give the city council the annual budget by the 2nd Wednesday in April.
- The city council may reduce or reject an item in the budget, but it may not create or increase items in the budget.
- The city council MUST:
 - Vote on any new funding order within 60 days after the mayor's office files it -- if they do nothing then the order is approved
 - Vote on the annual budget by the 2nd Wednesday in June -- if they do nothing then the budget is approved.
- The budget must give the mayor and city council at least as much money as each received in the prior year.

SECTION 49. SPENDING MONEY BEFORE THE NEW BUDGET IS PASSED.

- If there is a delay in the budget process and city departments have not yet been given any money for the new fiscal year then any city official allowed to spend money may continue to spend money EXCEPT:
 - No city official may spend more in 1 month than the monthly average of the past 3 months
 - No city official may spend more money per month on a specific type of item or service than was spent on the same item or service in any month during the previous fiscal year
 - When funding a new board or office, no city official may spend more than 1/12 of the amount of money he/she thinks it would take to run that board or office in the current fiscal year
 - No city official may spend more on snow removal than the average amount spent on snow removal over the last 5 years
- First assistant assessors may continue to be paid from the treasury for their regular duties. This money will be taken out of the next fiscal year's funding.

SECTION 50. MOVING MONEY.

- The mayor and 2/3 of the city council must approve any transfer of funds from one department to another.
- With approval from the mayor, the city auditor may move money around within a department, as long as it is not for the auditor's personal services.
- In order to close out accounts at the end of the fiscal year, the city auditor may, with the mayor's approval, spend or move any leftover money.
- The city auditor must report any money he/she has moved around, as well as why he/she made each move, to the city council and the city clerk within 70 days of the end of the fiscal year.

SECTION 51. ACCEPTANCE, RECEIPT, AND EXPENDITURE OF GRANTS/GIFTS.

- The city of Boston may accept grants or gifts of funds.
- In the case of any grant or gift given for educational purposes, the city of Boston may spend those funds for the intended purposes of such grant or gift with the approval of the school committee, and in the case of any other grant or gift, may spend such funds for the purposes of such grant or gift with the approval of the mayor and city council.
- Amounts so received shall be deposited with the treasurer and held in a separate account and may be spent by the officer or department receiving the grant or gift without further appropriation.

THE CITY CLERK AND THE CITY AUDITOR

SECTION 52. HOW LONG THE CITY CLERK SERVES.

- After a majority of the city council elects the city clerk, he/she serves for 3 years.
- The city clerk works until the 1st Monday in February of the 3rd year of the appointment or longer if the council has not chosen a replacement.

SECTION 53. DUTIES OF CITY AUDITOR.

- The city auditor oversees all of Boston's accounts and all of Suffolk County's accounts.
- If anyone claims that the city or county owes him/her money then the auditor may require him/her to take an oath that the claim is truthful.
- The auditor may refuse to pay any claim believed to be unlawful but must file a written statement explaining the reasons for refusal.

SECTION 54. UNSPENT BALANCES.

- The city auditor gives the head of each department a monthly statement of how much money the department was given but has not spent.
- The auditor gives the same statement to the mayor and city council.
- The auditor gives the city council a statement every 3 months showing money that the mayor or city council spent on contingent expenses.

SECTION 55. DOUBLE-CHECKING THE CITY'S FINANCE BY AN AUDIT COMMITTEE.

- The mayor appoints and the city council confirms a 5-member audit committee.
- The city shall hire an independent, certified public accounting firm to audit the city once a year.
- Audit committee members:
 - Are residents of Boston
 - Are unpaid
 - Classify as special city employees
 - Serve for 5 years
- The audit committee:
 - Monitors the outside accounting firm's work
 - Meets with the outside accounting firm at least 4 times a year
 - Reviews the recommendations of the outside accounting firm
 - Makes its own recommendations to the mayor and the city council

FISCAL RESPONSIBILITIES

SECTION 56. EMERGENCY (RESERVE) FUND.

- The city must annually set up a fund that is at least 2.5% of the previous year's budget (not counting the school department's budget) minus any money left over in the previous year's reserve fund.
- After the city council receives and approves a written request and explanation, the mayor can take money out of the reserve fund during the last month of the fiscal year.
- If there is no money in the reserve fund and the city spends more money than it has been appropriated in a given year then 50% more money (not counting the school department's budget) shall be put into the reserve fund for the next year.

- Within 10 days of the approval of the school department's budget, the department must create a reserve fund of at least 1% of its current budget.
- With the mayor and city council's approval, money can be removed from this fund after May 1st of that fiscal year.
- If there is no money in the reserve fund and the school department spends more money than it has available in a year then 50% more money shall be put into the reserve fund the next year.

SECTION 57. EMPLOYEE SPENDING AND MOVING MONEY.

- Before the later of August 1st or within 10 days of the city budget's approval, each department head must give the department's budget for personnel (employees) to the city auditor.
- The school department may not spend more than 20% of its budget for personnel in the first two quarters of the fiscal year and it may not spend more than 30% in each of the remaining two quarters.
- All other departments may not spend more than 30% of the employee budget in the first two quarters of the fiscal year and may not spend less than 21% during the last two quarters.
- Whenever the city auditor finds that any department has no more personnel funds to spend in a quarter, he/she must notify the head of that department, the mayor, and the city council in writing.
- Whenever the city auditor makes this notification:
 - The mayor must, within 7 days, decide whether or not to stop the department from spending any more funds on personnel for that quarter
 - If the department has run out of money and the mayor orders a stop to further personnel spending then the city does not have to pay back any money the department spends in excess of the amount it has budgeted for that quarter
 - If the mayor does not stop employee spending then the department may continue current employee spending by taking money saved for future quarters and reducing the budget for those quarters by the amount taken; however, the department must get the mayor's approval for all such spending EXCEPT for spending needed to make prior wage corrections
 - The department and mayor must report all such actions to the city council within 7 days
- All collective bargaining agreements entered into by the city must have this section incorporated into them.
- The mayor cannot transfer more than \$3 million of non-personnel funds from one place within a department to another EXCEPT for the school department.
- Unless 2/3 of the city council approves, the mayor may not take money for employee spending and give it to non-employee projects in a department if this movement would result in the firing of permanent appointees.
- No reallocation under this section may be made after April 15th.
- The city auditor will explain all movements of money and the reasons for those movements to the city council by April 30th every year.

SECTION 58. GUARANTEES FOR THE HOSPITALIZATION AND INSURANCE ACCOUNT.

- The hospitalization and insurance account must be given at least as much money as was actually spent on it, on average, over the last 3 years.
- At least 10 working days before the proposed tax rate is submitted for approval, the city auditor notifies the board of assessors that there is enough money to pay insurance and healthcare benefits in collective bargaining agreements entered into by the City.

PUBLIC FACILITIES COMMISSION AND SURPLUS PROPERTY

SECTION 59. ACQUIRING/TAKING LAND FOR MUNICIPAL PURPOSES.

- The Public Facilities Commission may purchase any interest in land within the city or may take, by eminent domain, any interest in land within the city, EXCEPT for parks, playgrounds, and land belonging to:
 - The United States of America
 - The Commonwealth of Massachusetts
 - The Boston Housing Authority
 - The Boston Redevelopment Authority
- If the purchase price of the land is more than 25% higher than its average assessed value over the past 3 years then the city must take the land by eminent domain.

- No land may be taken until money for the project that will be undertaken on the land has been appropriated by the mayor and 2/3 of the city council.
- None of this affects the real property board or the public improvement commission.

SECTION 60. CHANGING THE USE OF LAND.

- The public facilities commission may change the use and management of city lands with the permission of the mayor. This provision specifically applies to school land. This provision does not apply to parks and playgrounds.

SECTION 61. LEASING OR SELLING SURPLUS LAND (EXCEPT PARKS AND PLAYGROUNDS).

- With the mayor's consent, the public facilities commission may lease or sell any surplus land to the federal government (including any agency thereof) or the state government (including any authority or political subdivision).
- With the mayor's permission, the public facilities commission may lease or sell any surplus land to a private party if the commission publishes notice in the City Record once a week for 2 weeks.

SECTION 62. MONEY FROM THE SALE OF LAND.

- When the city sells a piece of land (except land acquired through tax title foreclosures) the money is spent as follows:
 - The amount of money that the city has spent to either buy or improve the property goes to the Surplus Property Disposition Fund and, from there, may only be spent on projects for which the city has permission to go into debt for ten years or more
 - Any proceeds remaining after that go to the capital fund, or, if a majority of the city council and the mayor approve, to the general fund

SECTION 63. OFF-STREET PARKING STRUCTURES AS EXTRA PROPERTY.

- The Public Facilities Commission may sell off-street parking structures, as surplus discussed above, if a majority of the city council votes to give the structures to the Commission.

MISCELLANEOUS PROVISIONS

SECTION 64. LOANS MADE BY THE CITY OF BOSTON.

- All loans Boston issues must be repaid in annual payments according to the laws of Massachusetts.
- Any party paying back a loan to Boston cannot solely pay the interest during the loan term and repay the entire principal at the end of the loan term.
- When Boston issues bonds to raise money, it may only issue the amount in bonds up to the amount of funds that the city needs to raise.
- If a bank or trust company has an officer, director, or agent who is also a member of the sinking fund commissions board then that bank or trust may not receive any city or county money.

SECTION 65. LIST OF DEPARTMENT EMPLOYEES.

- Between February 1st and February 6th each year, every department head must give the city auditor a list of its current employees.
- The list has must include each employee's:
 - Name
 - Street and ward
 - Title
 - Salary
 - Date of hiring and start date
- The auditor, after receiving the list, must:
 - Match the list with pay rolls
 - Open the list up for public inspection
 - Publish in the City Record, by April 10th, a table comparing the number of employees in each department for the past 10 years

SECTION 66. POWERS OF THE BOARD OF STREET COMMISSIONERS.

- The board of street commissioners, with the mayor's approval, may:
 - Name the streets
 - Plant and remove trees in public places
 - Issue permits or licenses for:
 - Coasting
 - Storing gas, oil, flammable substances, or explosive compounds
 - Use of public ways for obstruction or projection for conduits, poles, and posts
- The mayor and city council shall determine the prices for these permits and licenses.

SECTION 67. CONTENTS AND PUBLICATION OF THE CITY RECORD.

- The mayor's office must distribute the City Record at least once per week on terms fixed by the mayor and the city council.
- The City Record has notices for:
 - Sales of property because of non-payment of taxes
 - Public purchases and takings of land
 - Contracts for work, materials, or supplies
 - Sales of municipal bonds
 - A list of all contracts that the city has awarded, worth more than \$1,000, with the names of bidders and amounts of bids
 - Appointments by the mayor
 - Changes in number and salary of employees in each department
 - Proceedings of the city council and the school committee with communications from the mayor (N.B. this section prohibits the publication of the substance of debates by and among the City Council if such publication is at the expense of the City of Boston)
- Failure to obey the mayor's order of publication does not cancel any purchase, contract, or sale made by the city.

SECTION 68. MAKING CERTAIN CONTRACTS AND PUBLISHING PROPOSALS.

- When a city employee is authorized to build a new building, or make structural changes to an existing building with city funds, he/she cannot make more than 5 contracts and the mayor must agree to each contract before that contract can take effect.
- When the work costs more than \$10,000, unless the mayor says otherwise in writing, the City Record shall publish requests for proposals, and such requests for proposals shall state the time and place for looking at the proposals and explain that an officer or board can reject any proposal.
- If the mayor says that the City Record does not need to ask for proposals then the City Record must publish an explanation from the department head as to why not.

SECTION 69. REQUIREMENTS OF CONTRACTS (SURETIES).

- All contracts made for Boston or the county of Suffolk that are for more than \$10,000 and will be paid entirely from the city treasury must be in writing.
- All such contracts need:
 - Approval of the mayor
 - Auditor certification that there is enough money to pay for the contract
 - Bond or deposit left with the city auditor
- No contract may change unless there is written agreement, with mayoral approval, between:
 - The contractor
 - The people who promise to pay for the contractor if he/she cannot pay
 - The officer, board, or official making the contract

THE SCHOOL COMMITTEE AND SUPERINTENDENT

SECTION 70. CREATING A SCHOOL COMMITTEE.

- The mayor appoints the 7-member school committee of Boston residents and should strive to appoint a committee that represents the ethnic, racial, and socioeconomic diversity of the public school population.

SECTION 71. SCHOOL COMMITTEE TERMS AND ELECTION OF PRESIDENT.

- School committee members serve for 4 years, starting on the 1st Monday in January, unless the nominating panel re-nominates any members and the mayor grants the member(s) another term.
- The school committee elects its president at the 1st meeting of the year.

SECTION 72. APPOINTING A SUPERINTENDENT AND DUTIES OF SUPERINTENDENT.

- A majority of the school committee elects and hires a resident of the city to serve as superintendent for 6 years or less and they may remove him/her by 3/5 vote after finding good cause for removal, giving proper notice, and holding a public hearing.
- The school committee decides the superintendent's salary.
- The superintendent enforces and enacts all school committee decisions and must give a recommendation before the school committee can act.
- The superintendent's recommendation must include an estimate of how much more or less a project will cost when compared to similar projects and its source of funding.
- The superintendent can present his recommendation:
 - At a meeting where the school committee raises an issue needing his recommendation
 - At the next regularly-scheduled school committee meeting
- If the superintendent fails to make a recommendation in the required time period then the school committee can act without a recommendation from the superintendent.
- Soon after his or her appointment or re-appointment, the superintendent must give the school committee a plan for enacting and enforcing the school committee's decisions.
- The school committee has until September 1st to accept the superintendent's plan by a 2/3 vote.

SECTION 73. SUPERINTENDENT'S AUTHORITY TO HIRE, FIRE, AND PROMOTE.

- Anyone paid from the school department's budget for providing service to the school department is considered a school department employee for this section.
- Only the superintendent may hire and promote school department employees EXCEPT for:
 - The community superintendent
 - School committee chairman
 - School committee secretary
 - School committee treasurer
 - School committee administrative assistants
 - Special assistant corporation counsel
- When hiring or promoting a community superintendent:
 - The superintendent must give a recommendation for the position to the school committee at a regularly scheduled meeting
 - The appointment is deemed to be approved unless the majority of the school committee votes to object within 5 working days and then the appointment can only be approved if a majority of school committee members vote to overcome the objection
 - If the committee does not object then the community superintendent action is automatically approved on the 6th working day after the meeting
- The superintendent decides how much school department employees are paid EXCEPT for members of the school committee or as otherwise directed by a collective bargaining agreement. When making this decision, the superintendent must follow the terms of collective bargaining agreements entered into by the city and he or she must follow the laws of Massachusetts.
- The school committee decides how much its administrative assistants are paid.
- The superintendent may suspend, lay-off, demote, remove, or dismiss any school department employee except for school committee members and their administrative assistants.
- When the superintendent is taking one of the actions described above, these actions shall be considered actions of the school committee and he/she shall have both the powers and obligations/limitations of the school committee.
- In taking one of the employment actions listed above, the superintendent must provide notice and a hearing if one would otherwise be required.
- This section shall not affect the rights of teachers under M.G.L. c. 71, ss. 42, 43a, and 43b.

SECTION 74. BUDGET AND CONTRACTS.

- The school committee may allow the superintendent to accept and spend gifts of money for the school department.
- Every 3 months the superintendent tells the school committee, city auditor, and city office of budget and program evaluation where the money came from, where it needs to be spent, and how much money is left.
- The superintendent may not hire anyone for which there is not the money to hire.
- Every year the superintendent gives the school department's budget to the school committee before the 1st Wednesday in February.
- The school committee may make changes or final decisions (it may adopt, reject, reduce, or increase any item) on any item in the budget, but if it fails to vote yes or no on the entire budget before the 4th Wednesday in March then the budget is automatically approved.
- After the mayor gets the budget and accepts or reduces the total amount by the 2nd Wednesday in May, he/she must then submit that budget to the city council to set aside the necessary funds.
- Only the superintendent has the power to make contracts for the school committee, except for collective bargaining agreements and contracts for the transportation of students, and to make sure that all contracts made are followed.

SECTION 75. GETTING AND SPENDING SCHOOL DEPARTMENT MONEY.

- The city shall give the public schools enough money to operate but is not required to give more than is allocated to the public schools.
- Only the school committee decides where the money in the budget goes, but the city auditor may restrict the movement of school money if he/she thinks the committee will spend more money on a specific purpose than they are given for that purpose.
- If the school committee wishes to start a program it does not currently have money for after the 4th Wednesday in March then it must amend the current budget by taking enough money to pay for the new program away from other programs unless there is enough money for the new program in the next year's budget.
- The superintendent must give a monthly report to the school committee, the city auditor, and the city office of budget and program evaluation on how much money the school department has spent so far and how much it plans to spend in the future.
- The superintendent may make contracts for buying books for the next fiscal year after the 4th Wednesday in March as long as the amount of those contracts is not more than the amount of the last fiscal year's book contracts and as long as he/she asks for enough money to cover the new contracts in the next fiscal year's budget.

SECTION 76. ADMINISTRATIVE ASSISTANT TO THE SCHOOL COMMITTEE.

- Members of the school committee do not have authority to hire personal staff but the school committee president can hire a paid administrative assistant.

SECTION 77. NOMINATING PANEL.

- The city has a 13-person panel that nominates candidates for the school committee.
- The panel must consist of:
 - 4 parents of children in Boston public schools:
 - 1 selected by the citywide parents council
 - 1 selected by the citywide educational coalition
 - 1 selected by the Boston special needs parent advisory council
 - 1 selected by the bilingual education citywide parent advisory council
 - 1 teacher from the Boston public school system who is a member of and selected by the teacher's union
 - 1 headmaster or principal in the Boston public school system who is a member of and selected by the Boston association of school administrators and supervisors
 - 1 president of a public or private college or university selected by the Massachusetts chancellor of higher education
 - The Massachusetts commissioner of education
 - 4 people appointed by the mayor
 - 1 seat, filled by 1 of the following three 3 people, each serving for 1 year, in a fixed 3 year rotation:
 - 1 person who is a member of and selected by the private industry council
 - 1 person who is a member of and selected by the Boston municipal research bureau
 - 1 person who is a member of and selected by the Boston chamber of commerce
- Members are appointed before September 30th and each serves for 2 years.

- If a member cannot complete a term then whomever selected that member selects the replacement.

SECTION 78. CHOOSING NOMINEES FOR THE SCHOOL COMMITTEE.

- Each year the panel selects a chairman who gives a list of the members of the panel to the city clerk.
- The panel meets in public on the 1st Wednesday in October to select 3 to 5 nominees for each school committee member office that will become vacant on the 1st day of the next year.
- The panel must give this list to the mayor by the 1st Monday in December. If the panel does not present this list then the mayor may appoint anyone he/she wishes to the school committee.
- If an unexpected vacancy occurs in the school committee then the panel meets within 10 days of notice of the vacancy and gives a list of 3 to 5 nominees to the mayor within 30 days of the meeting. If they do not give the mayor a list then he/she may appoint anyone he/she chooses.
- The mayor must select a replacement within 15 days of getting this list.